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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

TIMOTHY and JEANNE DuFOUR and KENNETH TANNER, individuals, on their own behalves and on behalf of all others similarly situated,

Plaintiffs,

V.

BE., LLC, DYNAMIC SHOWCASES, LLC, California limited liability companies, MONTEREY FINANCIAL SERVICES, INC., a California corporations, BE MARKETING LIMITED, a private limited company registered in England and Wales, ERIK DeSANDO, BARRY FALCK, JACOB STEINBECK, and DOES 1-100, inclusive.

Defendants.

No. 09-03770-CRB

Judge Charles R. Breyer

**NOTICE REGARDING THE
RESOLUTION OF ARBITRATION
BETWEEN KENNETH TANNER AND
MONTEREY FINANCIAL SERVICES,
INC.**

1 **NOTICE REGARDING THE RESOLUTION OF ARBITRATION BETWEEN**
 2 **KENNETH TANNER AND MONTEREY FINANCIAL SERVICES, INC.**

3 On September 2, 2011, the Court entered an order staying the entire action pending the
 4 resolution of the arbitration between Kenneth Tanner and Monterey Financial Services, Inc.
 5 before the American Arbitration Association, Inc. (the “AAA”) (See Dkt. #158.) The Court
 6 entered an order closing this case as an administrative matter on June 18, 2012. (See Dkt. #160.)

7 The AAA sent correspondence to the parties on May 18, 2012 that it was closing its file
 8 on this matter. Although Plaintiffs have sought to submit a joint notice of the arbitration’s
 9 resolution with Monterey Financial Services, Inc., they believe any further delay in alerting the
 10 Court to the lifting of the stay would be undue. On the basis of the foregoing, Plaintiffs
 11 respectfully submit a notice to the Court that the arbitration contemplated by its September 2,
 12 2011 order has been concluded and that the Court’s stay in this case has been lifted by the terms
 13 of such order. Plaintiffs suggest that the Court may wish to schedule a case management
 14 conference.

15 Dated: July 10, 2011

16 By: s/Ethan Preston

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